

Exhibit B

Beth L. Kaufman (BK 7809)
David B. Gordon (DG 0010)
Schoeman, Updike & Kaufman, LLP
60 East 42nd Street
New York, New York 10165
(212) 661 – 5030
Attorneys for Defendants
SmithKline Beecham Corporation
d/b/a GlaxoSmithKline and
GlaxoSmithKline plc

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

EMERY DODD AND ELEN DODD;
ROBERT DODD;
MARY DOMINGUEZ AND FRANK
DOMINGUEZ;
VIVIAN DOMINGUEZ AND RAYMOND
DOMINGUEZ;
MARIE DOPKINS AND RUSSELL H.
DOPKINS;
JOHN DRENNAN AND SHIRLEY DRENNAN;
BARBARA DROBICK AND KENNETH
DROBICK;
PAULINE DUERKOP AND GERALD
DUERKOP;
JOHNNY DUNCAN AND LEE ANNA
DUNCAN;
FRANCIS DYKSTRA;
THEADORE EICHENLAUB AND THELMA
EICHENLAUB;
EDNA ELLIS;
RONALD ELLIS AND BARI ELLIS;
LEWIS ELLSWORTH AND PENNY
ELLSWORTH;
JOHN ENGSTROM AND CAROL
ENGSTROM;
CARLOS ESTRADA AND MARY HELEN
ESTRADA;
JOHN FARRELL AND LENORE FARRELL;
EDWARD FELIX AND LOUSE FELIX;

**DEFENDANT SMITHKLINE
BEECHHAM CORPORATION D/B/A
GLAXOSMITHKLINE'S CONSENT TO
REMOVAL**

SCOTT FERGUSON;
HERBERT FINE AND LOUISE FINE;
ROBERT FINKLE;
ROBERT FISCHER;
GLENN FLATT;
NANCY FOGLEMAN AND JAMES
FOGLEMAN;
PETER FOLEY;
GARY FORD AND MARY H. FORD;
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JOE GALLEGOS AND OFELIA GALLEGOS;
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RUBY GONZALES AND JOHN L.
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JOHN GRGAT AND MARGARET GRGAT;
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BOBBY GUYTON AND STANISLAVA
GUYTON;

MARY HABRE;
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HARVEY HARDEN AND IRMA HARDEN;
JESS HARDY AND MARLENE HARDY;
VICTOR HARILDSTAD AND GENEVA
HARI DSTAD;
RITA HARKEY AND WILLIAM HARKEY;
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HARLEV;
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JOHNSON; FLOYD JOHNSON AND
GILLIAN GRAFTON; JERI-LOU JOHNSON
AND JOSEPH JOHNSON; MARVIN
JOHNSON AND DORIS JOHNSON;
RICHARD JONASON AND BESS M.
JONASON; GAIL JONES;
NANCY JONES AND ALBERT JONES;
MIDA JORDAN;
ALEX JUAREZ AND NANCY JUAREZ;
JERRY KAMCHII AND BEVERLY KAMCHI;
DENNIS KELLEY AND SHERRY KELLEY;
WILLIAM KELLY AND BARBARA KELLY;

Plaintiffs,

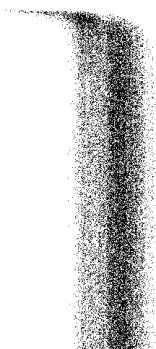
against

BAYER CORPORATION,
BAYER AG,
GLAXOSMITHKLINE, PLC,
SMITHKLINE BEECHAM CORPORATION
D/B/A GLAXOSMITHKLINE

Defendants.

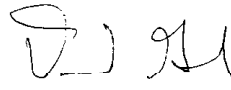
-----X

DAVID B. GORDON, being duly sworn, deposes and says:



1. I am a member of Schoeman, Updike & Kaufman, LLP, attorneys for defendants SmithKline Beecham Corporation d/b/a GlaxoSmithKline and GlaxoSmithKline plc. Pursuant to 28 U.S.C. §1446, I make this affidavit to set forth the consent of SmithKline Beecham Corporation d/b/a GlaxoSmithKline to the removal of this action from the Supreme Court of the State of New York, New York County to this Court.

2. This affidavit of consent is filed within the statutory time limit to consent to the removal of the action.



David B. Gordon (DG 0010)

Sworn to before me this 3rd
day of December, 2003


Notary Public

REEVE SEGAL
Notary Public, State of New York
No. 01SE6085603
Qualified in New York County
Commission Expires December 30, 2006

To: Paul J. Pennock, Esq.
WEITZ & LUXENBERG, P.C.
Attorneys for Plaintiffs
180 Maiden Lane, 17th Floor
New York, New York 10038
(212) 558-5500

Daniel S. Ratner
HEIDELL, PITTONI, MURPHY & BACH, LLP
Attorneys for Defendants
BAYER CORPORATION and BAYER A.G.
99 Park Avenue
New York, New York 10016
(212) 286 - 8585

Exhibit C

Beth L. Kaufman (BK 7809)
David B. Gordon (DG 0010)
Schoeman, Updike & Kaufman, LLP
60 East 42nd Street
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Attorneys for Defendants
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d/b/a GlaxoSmithKline and
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESTRADA;
JOHN FARRELL AND LENORE FARRELL;
EDWARD FELIX AND LOUSE FELIX;

**DEFENDANT GLAXOSMITHKLINE
PLC's CONSENT TO REMOVAL**

SCOTT FERGUSON;
HERBERT FINE AND LOUISE FINE;
ROBERT FINKLE;
ROBERT FISCHER;
GLENN FLATT;
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ALEX JUAREZ AND NANCY JUAREZ;
JERRY KAMCHI AND BEVERLY KAMCHI;
DENNIS KELLEY AND SHERRY KELLEY;
WILLIAM KELLY AND BARBARA KELLY;

Plaintiffs,

against

BAYER CORPORATION,
BAYER AG,
GLAXOSMITHKLINE, PLC,
SMITHKLINE BEECHAM CORPORATION
D/B/A GLAXOSMITHKLINE

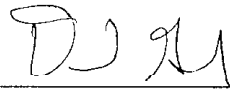
Defendants.

-----X

DAVID B. GORDON, being duly sworn, deposes and says:

1. I am a member of Schoeman, Updike & Kaufman, LLP, attorneys for defendants SmithKline Beecham Corporation d/b/a GlaxoSmithKline and GlaxoSmithKline plc (hereinafter "GSK plc"). Pursuant to 28 U.S.C. §1446, I make this affidavit to set forth the consent of GSK plc to the removal of this action from the Supreme Court of the State of New York, New York County to this Court.

2. This affidavit of consent is filed within the statutory time limit to consent to the removal of the action.



David B. Gordon (DG 0010)

Sworn to before me this 3rd
day of December, 2003


Notary Public

REEVE SEGAL
Notary Public, State of New York
No. 01SE6085603
Qualified in New York County
Commission Expires December 30, 2006

To: Paul J. Pennock, Esq.
WEITZ & LUXENBERG, P.C.
Attorneys for Plaintiffs
180 Maiden Lane, 17th Floor
New York, New York 10038
(212) 558-5500

Daniel S. Ratner
HEIDELL, PITTONI, MURPHY & BACH, LLP
Attorneys for Defendants
BAYER CORPORATION and BAYER A.G.
99 Park Avenue
New York, New York 10016
(212) 286 - 8585

Exhibit D

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
EMERY DODD and ELEN DODD, ROBERT DODD;
MARY DOMINGUEZ AND FRANK DOMINGUEZ;
VIVIAN DOMINGUEZ AND RAYMOND
DOMINAGUEZ; MARIE DOPKINS AND RUSSELL
H. DOPKINS; JOHN DRENNAN AND SHIRLEY
DRENNAN; BARBARA DROBICK AND KENNETH
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DUNCAN; FRANCIS DYKSTRA; THEADORE
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JOHN FARRELL AND LENORE FARRELL; EDWARD
FELIX AND LOUISE FELIX; SCOTT FERGUSON;
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FINKLE; ROBERT FISCHER, GLENN FLATT;
NANCY FOGELMAN AND JAMES FOGELMAN;
PETER FOLEY; GARY FORD AND MARY H. FORD;
ANNA FRANCE AND ROBERT FRANCE; LOUISE
GAGNON; WILLIAM GALBRAITH AND GWEN
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GALLEGOS; PAUL GARRAHAN; SUSAN
GEISSENBERGER; DORIS GEZZAR; REX GIBBS
AND VIOLET D. GIBBS; EUGENIA GLASCO AND
JOE N. GLASCO; GAIL GODDARD; EARL GOLDMANN;
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BARBARA GOLMON AND LLOYD D. GOLMON;
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GONZALES AND JOHN L. GONZALES; HELEN
GRACIA AND EDWARD GRACIA; MARY GRANISON
AND WILLIAM GRANISON; KATES GRAVES;
FREDERICK GREEN AND CLARA GREEN; SADY
GREER AND HAROLD E. GREER; KENNETH
GREGGORY AND NANCY GREGGORY; JOHN
GRGAT AND MARGARET GRGAT; CHRISTA GROSS
AND ALFRED GROSS; GERALD GROVEN AND
PATI GROVEN; BOBBY GUYTON AND SATNSILAVA

Index No: 113020/03

**NOTICE TO STATE
COURT OF FILING
OF NOTICE OF REMOVAL**

GUYTON; MARY HABRE; DONALD HALL AND PATSY HALL; JACQUES HANDFIELD; HARVEY HARDEN AND IRMA HARDEN; JESS HARDY AND MARLENE HARDY; VICTOR HARILDSTAD AND GENEVA HARILSTAD; RITA HARLEV AND ROBERTA JEAN HARLEV; CATHERINE HARTLINE AND MICHAEL HARTLINE; RONALD HARUFF AND PATSY HARUFF; BARBARA HAVENS AND JACK HAVENS; LUPE HAVILAND AND DALE HAVILAND; ALDEN HERMAN AND ELIES HERMAN; ROBERT HERNANDEZ; MARIA HERRERA AND VICTOR HERRERA; VICTOR HERRERA AND MARIA HERRERA; FLORENCE HERTAUS; TONY HIGHT AND ANN M. HIGHT; ROBERT HILDEBRANDT AND SHARON HILDEBRANDT; RALPH HINOJOSA, JR. AND LINDA HINOJOSA, JR.; JOHN HOBAN AND LOLA HOBAN; GLEN HOCH AND LOIS HOCH; LAWRENCE HIEL, JR. AND DEBORAH HOEL; BENITA HOFFMAN AND CHARLES HOFFMAN; THEODORE HOLLIDAY AND COLLEEN HOLLIDAY; MARJORIE HOMER AND JOHN HOMER; DESMOND HOOEY AND GRACE HOOEY; JERALD HORTON AND JOYCE HORTON; HARIETTA HOWARD AND JERALD HOWARD; GLORIA HOWSON; RICHARD HUEBNER AND SUSAN HUEBNER; MAE HUGGINS AND ARCHIE HUGGINS; MYRNA HUNT; PAUL HUPP AND MARAJEAN HUPP; BONNIE HYMAN-FIGY AND EUGENE HYMAN; CALVIN JACKSON AND FLOY JACKSON; ROBERTA JACKSON; JOHN JACKSON, JR. AND SHELBY JACKSON; FRANCISCO JAIME; ROSALIE JAMESON; PATRICIA JANSSEN AND JOHN JANSSEN; JANICE JERNIGAN; GERALD JIRON; DALCIE JOHNSON; EDWARD JOHNSON AND SHIRLEY JOHNSON; FLOYD JOHNSON AND GILLIAN GRAFTON; JERI-LOU JOHNSON AND JOSEPH JOHNSON; MARVIN JOHNSON AND DORIS JOHNSON; RICHARD JONASON AND BESS M. JONASON; GAIL JONES; NANCY JONES AND ALBERT JONES; MIDA JORDAN; ALEX JUAREZ AND NANCY JUAREZ; JERRY KAMCHI AND BEVERLY KAMCHI; DENNIS KELLEY AND SHERRY KELLEY; WILLIAM KELLEY AND BARBARA KELLEY;

Plaintiffs,

- against -

BAYER AG, BAYER CORPORATION,
GLAXOSMITHKLINE, PLC,
SMITHKLINE BEECHAM CORPORATION
D/B/A GLAXOSMITHKLINE

Defendants.

-----X

PLEASE TAKE NOTICE that a Notice of Removal of the above-captioned action from the Supreme Court of the State of New York, County of New York to the United States District Court for the Southern District of New York, a copy of which is attached hereto as *Exhibit "1"*, was filed on December 8, 2003, in the United States District Court for the Southern District of New York. Notice of that filing was given pursuant to 28 U.S.C. § 1446(d) and a copy of that Notice of Filing of Notice of Removal is attached hereto as *Exhibit "2"*.

Dated: New York, New York
December 8, 2003

BAYER CORPORATION

By: 

Daniel S. Ratner (DR 7823)
Scott M. Zimmerman (SM 2735)
Heidell, Pittoni, Murphy & Bach LLP
99 Park Avenue
New York, New York 10016
(212) 286-8585

